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C.S.A. 1st Cong., 3d sess. House

Jan. 30, 1863

[HOUSE BILL, No. .]

HOUSE OF REPRESENTATIVES.—January 30, 1863.—Read first and second times and ordered to be printed.

[By Mr. HOLCOMB, from Committee on Judiciary.]

A BILL

To be entitled an act to authorise and regulate impressment of private property, for the use of the army and other military purposes.

1 SECTION 1. *The Congress of the Confederate States of America do*
2 *enact : Any officer of the Confederate States, commanding a*
3 *military district or department, may authorize the impressment*
4 *of property for the use of the army or other military purpose,*
5 *by order in writing, whenever he is satisfied that the same can-*
6 *not be procured in due time, except by impressment.*

1 SEC. 2. Where slaves are required to labor on fortifications
2 or other public works, the impressment shall be made in accord-
3 ance with the law of the State where they are employed; in the
4 absence of such law, in accordance with rules and regulations
5 not inconsistent with the provisions of this act, to be prescribed
6 from time to time by the Secretary of War.

1 SEC. 3 In no instance shall any individual be deprived, by
2 impressment, of the amount of provisions required for the com-
3 fortable support of his family, nor except under circumstances
4 of extreme urgency, to be declared in the order of the com-
5 manding general, shall any individual be deprived of the grain,
6 forage, slaves or other property necessary for the use of his
7 plantation.

1 SEC. 4. In all cases of impressment, just compensation shall
2 be made for the property seized, whether the absolute ownership,
3 or the temporary use or hire only thereof is demanded. If the
4 owner and the impressing officer cannot agree upon the amount of
5 such compensation, it shall be ascertained and determined by the
6 judgment of three loyal and disinterested free-holders of the
7 city, county or parish in which the impressment is made—one to
8 be selected by the owner, one by the impressing officer, and the
9 third to be chosen by these two. The persons thus selected,
10 after taking an oath to appraise the property impressed, fairly
11 and impartially, which oath the impressing officer is authorized
12 to administer, shall proceed to assess the full value of the pro-
13 perty seized, as well as the amount of compensation for its tem-
14 porary use or hire, where that only is required: and also to
15 determine upon the application of the impressing officer, which

16 application is to be made only in extreme cases, what amount of
17 provision would furnish a liberal support for the family of the
18 owner. And it shall be the duty of such persons to make out
19 a certificate to be signed by all the parties, in which the valua-
20 tions herein provided for shall be declared, and the property im-
• 21 pressed, where its temporary use or hire only is demanded,
22 described with such minuteness as to identify it, and to deliver
23 one copy thereof to the owner, and one to the impressing officer.

1 SEC. 5. Where property has been impressed for temporary use
2 or hire, and is lost or destroyed without the default of the owner,
3 the Confederate States shall pay the full value thereof, as ascer-
4 tained under the provisions of this act. If such property, when
5 returned, has, in the opinion of the owner, been injured whilst
6 in the public use, the amount of damage thereby sustained shall
7 be determined in the manner prescribed in the fourth section of
8 this act; the officer returning the property, being authorized to
9 act on behalf of the Confederate States, and upon such inquiry,
10 the certificate of the value of the property when originally im-
11 pressed, shall be received as conclusive evidence thereof.

1 SEC. 6. Any officer of the Confederate States impressing
2 property in violation of the provisions of this act, shall be liable
3 to such punishment as the military court of the district or depart-

4 ment to which he belongs may in its discretion inflict, unless
5 compliance with the requirements thereof, be prevented by the
6 owner of the property, or by the public enemy. And in the
7 latter event the impressing officer shall be liable to the penalties
8 of this section, unless he shall cause the property seized to be
9 appraised in the manner pointed out in this act, as soon as prac-
10 ticable, or if this be impossible, by reason of the occupation of
11 the enemy, then by an appraisement in the city, county or parish
12 most convenient to that in which the property was impressed.

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